

CEMVP-CO-CH

26 August 2003

MEMORANDUM FOR Record

SUBJECT: Minutes of River Resources Forum Meeting #66, 29 April 2003.

1. Introductions / Approve Minutes – A meeting of the River Resources Forum (RRF) was held on 29 April 2003 at the Fish & Wildlife Service Resource Center, Onalaska, WI. Attached is the attendance list and handouts from the meeting.

*The Minutes from RRF #65 were approved by consensus as prepared.*

2. Agency Activities – Note: Only the agencies listed below had significant information to report.

- A. FWS – Gary Wege, Dan Stinnett, Don Hultman: A mussel status report is being published. Contact Gary to get a copy. Still do not have a FY 2003 Budget. Recently completed public meetings and are currently holding employee meetings regarding the CCP. The new director of Region 3, Robin Thorton, will be given a tour of the river this summer. FWS has selected their new EMP coordinator, Sharonne Baylor (formerly with the COE).
- B. MnPCA – Judy Mader: New commissioner, Sheryl Corrigan, is big on partnering.
- C. USCG – John Grez – (handouts 1&2 ): Homeland Security: Vessels transporting hazardous cargo will be escorted through areas with populations of 100k+, only applies to St. Paul at this point, possibly La Crosse in the future. New security regulations will be published this fall. Port security grants will be available for upgrading facilities. Not much armed presence on the UMR; took 5 hours to get to LD 9 for bomb threat. Other: Jason Neubauer will be replaced this summer/fall, John is leaving in June, no replacement at this time.
- D. EPA – Don Kathan: Don is new poc with EPA (Al Fenedick is on 1 yr detail as tribal liaison). Need to keep Bill Franz in the loop.
- E. NPS – JoAnn Kyril: Preparing for opening, Aug 9 & 10. Ashland Oil ordered to pay NPS \$3.4 million due to 1996 spill; NPS preparing business plan to determine use of funds. New book by John Anfinson on origins of Nav on UMR.
- F. MnDNR – Steve Johnson: Amy Denz had a boy on Feb 6, named him Kyle; congratulations to the family. The new and deputy commissioners have no river experience and are currently focused on the budget. No budget yet; expecting layoffs; 12 to 20% budget reduction in Division of Waters.
- G. MnDOT – Dick Lambert: New commissioner, Carol Molnau is very experienced with the river. Layoffs expected over next 2 months. Terminal publication out; may be on web site soon.
- H. IDNR – Mike Griffin: Kevin Sczdronski has applied for the Head of Parks position.
- I. WiDNR – Gretchen Benjamin: Due to budget cuts, layoffs are expected. Working to educate new leaders on how UMR works.

- J. COE – Dan Krumholz & John Bailen – (handout 3): MV Miss. will be in St. Paul District 6 – 11 August; public hearing in Hastings or Red Wing on Aug. 11. Working on RRF web page. Paul Machajewski has followed in the footsteps of Randy Urich, Steve Tapp, and Sharonne Baylor in the Leadership Development Program. John Bailen discussed St. Paul District's Strategic Planning (District Dashboard) program; indicators to ensure success; looking for partner comments. St. Paul's O&M Budget: 28% reduction in 2004. Programs possibly being "hit" include: water level management, embankment maintenance study, placement site excavations, endangered species.
3. Recreation Work Group – Otto (COE), Hultman (FWS) (handout 4)
- A. FWS position on beach use/CCP update:
- Beaching is a historic, popular, non-wildlife based activity.
  - Current violations on Fed. Property: firearms, dogs, fireworks
  - Need more law enforcement; FWS increasing but concerned with officer safety.
  - Beach maintenance encourages use but must be compatible with refuge policy
  - Draft plan due this fall; will address beach use.
  - Will recognize other Fed. jurisdiction in CCP.
  - FWS can't endorse Pool 7 plan until CCP determines use on beaches
  - Will work with RWG on current sites
  - Will not support beach use on sites designated as wildlife mgmt in LUAP.
- Discussion bullets:
- Fed. Law authorizes rec. use on Fed. property – Otto, COE
  - Not all beach users are negative users – Griffin, IDNR
  - We're 3 - 4 years behind on endorsed, recommend actions – Benjamin, WDNR
  - LUAP definitions vs. actual use may be different – Otto, COE
  - RWG will continue beach planning as far as possible; Pool 8 to DRAFT level.
- B. Rec. Boating Study: Going with scaled-down version in '03; digital format; St. Mary's preparing pilot study.
- C. MnDNR Rec. Use Survey on UMR: to be conducted in pools 3 – 9 from Memorial to Labor Day.
- D. FWS is developing a canoe trial in pool 5A.
4. Restructured Nav Study, Feasibility Study – DeZellar (COE)
- A. Current Feasibility Schedule:
- |   |              |
|---|--------------|
| Alternative Eval & Decision Model Approved & Coord. | Sep 03       |
| Tent. Integrated Plans w/BCR's & Public Meetings    | Oct 03       |
| Alternative Formulation Briefing                    | Nov 03       |
| Draft Feasibility Report                            | Apr 04       |
| 90-Day Public Review                                | Apr – Jun 04 |
| Public Meetings                                     | May 04       |
| Final Feasibility report w/EIS                      | Aug 04       |
| Chief's Report                                      | Nov 04       |

- B. Fish Passage Team: Headed by Dan Wilcox. Looking at: potential locations, dam operations, cost analysis & benefits. Plan to be complete Jun '03. This work to be used by Embankment Maintenance Team.
  - C. Multi-agency Water Level Management Team: Team is looking at systemic operations along UMR, operations above/below the operating plans, cost/benefits. Should be complete by June.
  - D. Independent Technical Review of Nav Study: National Research Council to begin looking at environmental and economics in June.
  - E. Matrix Evaluation by expert panel: 8000 cell tool, preparing draft report.
5. Embankments Maintenance Study – DeZellar (COE)  
Team formed in 2002, goal to correct deficiencies in Dams and add environmental features, identify problems and opportunities (dam rehab. & restoration)  
Working on Draft PAR, study will produce DPR  
Site inspections scheduled for 5 – 9 May  
Refine alternatives after site visits  
Incorporate Nav. Study Fish Passage work into this study  
Schedule: Draft PAR 30 Jun 02  
Final PAR 30 Jul 02
6. Water Level Management – Benjamin (WiDNR)
- A. Minor Drawdowns:
    - 1. Due to public concern, the Pool 6 Minor Drawdown has been changed to a no-effect at the Winona, MN gage (from 6") to up to 1.0' at LD 6. The Letter Report EA is being signed.
    - 2. The Pool 9 Minor Drawdown will be no-effect at the Lansing, IA gage to up to 1.0' at LD 9. The Iowa State Historical Preservation Office (ISHPO) is concerned with the drawdown effects on cultural resources.
    - 3. If flow conditions are favorable on 16 Jun, a 0.1 drawdown will begin in each pool. Recreational access dredging still needs to be addressed.
- Pools 6 & 9 Minor Drawdowns was approved by consensus.*
- B. Pool 5 Drawdown: Public meetings are set for 21 & 22 May 2003 at Wabasha and Cochran-Fountain City High Schools, respectively. Significant money is needed for Pool 5 dredging; above and beyond advance maintenance; probably require additional equipment; other source of funding may be required.
    - 2, 2005 COE budget packages submitted – Krumholz (COE)
      - \$750k advance maintenance
      - \$250k supplemental
    - Hoping for 2' Drawdown in 2005 – Wege (FWS)

7. Booster Barge Mullen Fuel Oil Spill – Marc Krumholz (COE)  
Investigations conducted by COE and USCG.

Findings:

- Fuel transfer procedures not clear, need more specifics
- Poor definitions & clarifications of duties
- Spill response plan is unclear if applies to WAT only or entire fleet
- No laws broken
- SOP's not followed very well
- Spill caused by operational error
- Notification procedures error, needs improvement

Recommendations:

- Improve notification procedures
- Fuel procedures to be rewritten & specific
- Training required (boom deployment)
- Letter of designation to operator
- Control box/shut-off valve improvement

Actions started/completed

- Spill response plan being rewritten & condensed
- Fueling procedures being written per equipment
- Improved and documented training
- Added emergency shut-off switch
- Tool box refueling meetings
- Additional containment booms

MPCA: No fines, put money towards training.

Per Judy Mader, Sonia Vega is the new EPA On Scene Coordinator; she is located in the St. Paul office, 5<sup>th</sup> floor, phone (651) 296-7361, fax (651) 296-7485, email [Sonia.Vega@pca.state.mn.us](mailto:Sonia.Vega@pca.state.mn.us); territory is SE MN & West-Cent. WI.

Refueling locations still need to be discussed

8. Agency Spill-Response Capabilities - All

USCG – Has trailer to get to various locations throughout St. Paul District. Trailer is for containment only, not recovery. USCG has no means to transport the trailer but can work with other agencies to do so.

MnDOT – Had a trailer, however not sure of where it is at anymore.

NPS – Has money available (settlement from Ashland Oil) to go toward spill response.

9. Turtle Nesting on Transfer Sites Tapp (COE) & Johnson (MnDNR) (handout 6)

Issues:

80% of Smooth-Soft-shell turtles (Mn listed species) in pool 5, nest on the Above West Newton Transfer Site, which is being excavated this summer/fall.

MnDNR non-game wildlife office would like to sponsor turtle rescue/egg salvage prior to excavation operations and would like the COE to assist with funding. MnDNR non-game wildlife office would also like conduct a pilot survey of turtle nesting habits throughout pool 5. MnDNR non-game wildlife office has some funds available.

COE: All placement sites in the CMMP have been endorsed for use by the RRF. Concerned with precedence this may be setting (i.e. env. windows).

Long-term study recommended to FWWG for addressing. FWWG to look into potential habitat sites to be created.

Regular sequence of events (construction schedule) may avoid primary nesting areas.

Egg salvage decision: COE may provide staff and equipment and/or contractual services up to \$2000 but will first consider restricting work in areas of concern.

Above West Newton Excavation Schedule:

16 May 03 Bid Opening

June 03 Notice to Proceed

July/Aug Excavation

30 Nov 03 Topsoil and seed West Newton Placement Site.

10. IaDNR Permit Process – Griffin (IaDNR)

Mike is the POC on all O&M projects.

Permit process will take longer; plan as much in advance as possible

Floodplain permits are needed up watersheds away from UMR. COE indicated that permits could only be obtained where the government has specifically waived its sovereign immunity.

Will do a blanket MOU for all CMMP sites.

11. Shoreline Management Planning – Otto (COE)

Issue:

COE is more restrictive than the MnDNR, WiDNR is more restrictive than the COE.

Meeting held to discuss situation.

Outcome:

COE will require that state applications be in possession.

State applications available from COE La Crescent Office

COE will enforce shoreline vegetation buffer zone

12. Whitewater Park - Tapp (COE), Steve Johnson (MnDNR)

Federal EA awaiting approval in HQ. FONSI to be signed in July '03.

Current plan still does not address the Pool 1 Placement Site very well.

Barging material out of pool 1 costs:

- Avg. annual upstream \$435,000.
- Avg. annual downstream \$800,000.
- Significant loss of production costs.

MnDNR has lots of issues with EA. Has asked COE to not sign EA until they're done with their environmental review. Environmental review to be complete by April 2004. Looking into possibility of shortening or moving the project up stream out of Pool 1 Placement Site.

NPS needs time for environmental review as well.

13. Channel Maintenance – Tapp, Krumholz, & Machajewski (COE) (handouts 7 & 8)
- A. Dredging Schedule: Only have potential jobs at this point, no imminent closures. Will be checking Mn River and upper pools. Have a demand for material from WDOT from the Alma site; considering mechanical excavation from Teepeeota Placement Site, but it's likely we'll need channel maintenance in lower pool 4.
  - B. Channel Mgmt & Placement Sites: Mooring buoy is being fabricated in Fountain City by COE staff; looking at a June/July deployment; 401, EA/FONSI & Mn Protected Waters Permit pending. Grand Encampment stabilization work will be completed in the 2003 construction season. Pool 5 OSIT meeting: As a result we are ready to enlarge 2 wing dam notches (per wing dam evaluation report), notch the final 3 wing dams and fortify the head of the accreted island by the Alma Power Plant. Some tweaking is still needed in order to construct the Pool 5 CMS Island (E3). Beneficial use operations at Brownsville are going well. Looking to implement the CMMP approved Genoa Power Plant site; need Real Estate. The EA is pending for the permanent pipeline and drop structure relocation at the Lansing Hwy Br site. We have run into considerable opposition with the Iowa State Historic Preservation Office (ISHPO) at the Buck Creek Placement Site over cultural resource issues; issue has been forwarded to the Advisory Counsel in Washington. The COE is concerned with the dealings with non-RRF agencies (i.e. IaDNR has no connection to the ISHPO). Dredging work is complete at McMillan Island; roadwork is underway.
  - C. Channel Management Studies:
    - Pool 2: Completed final report and EA; report to be distributed in May. Seeking RRF endorsement at Aug RRF.
    - Lower Pool 4: Revising designs based on agency comments; assessing structural effects on dredging; developing Chippewa River sediment options/recommendations; developing placement site layouts and alternatives.
    - Lower Pool 9 (Lansing Reach): Study to begin in June/July.
14. Navigation Work Group – Grez (USCG)  
Added fleeting area inventory to NWG to do list; needed for Inland Electronic Navigation Charts (IENC); Jody Millar (FWS) and Ken Barr (MVR) have data on this.
15. Fish & Wildlife Work Group – Urich (COE) (handouts 9, 10, & 11)  
Pool Plans: FWWG asked the RRF to consider endorsement of the Pool Plans for Pools 1, 2, & 3 plus two add on items (supplemental map & revisions in pool 3 from Prairie Island Indian Community (PIIC)).

*Icon Maps endorsed by consensus.*

Pools 2 & 3: Plans need to be edited to be consistent with other pools. All pools need professional editing per Jeff Janvrin (WiDNR). Dan Krumholz (COE) recommended that the tone be edited (i.e. would vs. could). Per Steve Johnson (MnDNR), the recognition of hydropower at LD 2 needs to be added as a constraint.

*Pool Plans for Pools 2 & 3 endorsed by consensus contingent upon satisfactory editing.*

Pool 1: Per Dan Krumholz, the COE has two areas of concern with this plan:

1 – The Mississippi River as a multiple-use resource is not being properly represented here consistent with the operating principles of the RRF.

2 – As written, the COE can't maintain the congressional mandate in pool 1 (i.e. navigation channel and rapids).

For the COE to endorse pool 1 a broader view is needed that does not propose environmental enhancement at the expense of other river uses.

Per Steve Johnson, MnDNR can't endorse the pool 1 plan; see pages 20 & 21; features almost impossible to implement; restoring 6 miles of rapids is the more significant than any EMP project on the UMR. Publish plans without Pool 1 for now.

The COE will either re-write the pool 1 plan to make it compatible with other river values or the FWWG product will be left as is, and the RRF will indicate that the plan is not implementable at this time.

16. Work Group Leaders - All

There is too much representation by the COE in leadership and key logistical positions; need more diversity. It was recommended that the FWS resume leadership of the FWWG as one step in this direction.

17. Environmental Management Program – Powell (COE) (handout 12)

EMP is fully funded for FY04, ~\$33M. MVP will get \$6.3M in FY04 (vs. \$1.7M in FY03).

A. Ambrough Slough: Stage I: No water for access; COE shallow draft equipment is coming; There are issues with the Stage II plans & specs; Stage III is on-going.

B. Spring Lake: Public meeting held on 4/23.

C. EMP Design Manual: Will be a design lessons learned document; Jon Hendrickson (COE) is assisting.

18. Next Meetings

August 26 & 27, Prairie du Chein, WI

Tour McMillan Island & Buck Creek Placement Site

December 2 & 3, National Park Service Office, St, Paul

Daniel J Krumholz  
Co-Chairman, RRF